

Arash Sadat (SBN 279282)
arash@msdlawllp.com
MILLS SADAT DOWLAT LLP
333 South Hope Street, 40th Floor
Los Angeles, CA 90071
Telephone: (213) 613-9434

Attorneys for Plaintiff
Gurudu-Group LLC

Q. Scott Kaye (SBN 206916)
kaye@millercanfield.com
MILLER, CANFIELD, PADDOCK AND STONE, PLC
21515 Hawthorne Blvd., Suite 200
Torrance, CA 90503
Telephone: (310) 683-6615

Attorneys for Defendant
Mino Automation USA Inc.

Dwight C. Donovan (SBN 114785)
ddonovan@foxrothschild.com
FOX ROTHSCHILD LLP
345 California Street, Suite 2200
San Francisco, CA 94104
Telephone: (415) 364-5540

Attorneys for Defendant
Robinsons Automation Machinery Limited

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

GURUDU-GROUP LLC, a South Carolina
limited liability company,

Plaintiff,

v.

RAM ROBINSONS AUTOMATION
MACHINERY LLC, a Michigan limited
liability company; ROBINSONS
AUTOMATION MACHINERY LIMITED, a
United Kingdom business entity; and MINO
AUTOMATION USA INC., a Michigan
corporation,

Defendants.

Case No.: 2:22-cv-01973-WBS-JDP
Assigned to: Hon. William B. Shubb

STIPULATION AND ORDER:

- (1) WITHDRAWING MINO
AUTOMATION USA, INC.'S
MOTION TO DISMISS COMPLAINT
OR IN THE ALTERNATIVE TO
TRANSFER VENUE WITHOUT
PREJUDICE AND VACATING
HEARING ON SAME; AND**
- (2) CONTINUING PRETRIAL
SCHEDULING CONFERENCE**

STIPULATION

WHEREAS, plaintiff Gurudu-Group LLC (“Gurudu”) on November 1, 2022 filed its Complaint (ECF No. 1) in the above-captioned action;

WHEREAS, defendant Mino Automation USA Inc. (“Mino”) on January 3, 2023 filed its Motion Dismiss Complaint or in the Alternative to Transfer Venue (“Motion”) (ECF No. 17);

WHEREAS, the Motion is currently set for hearing on February 21, 2023 at 1:30 p.m. in Courtroom 5 of the above-captioned Court;

WHEREAS, Robinsons Automation Machinery Limited (“Robinson UK”) has accepted service of the summons but intends to contest the Court’s jurisdiction over it in this action on or before the responsive pleading deadline of February 21, 2023;

WHEREAS, Gurudu, Mino, and Robinsons Automation Machinery Limited (collectively, the “Parties”) have been in regular communication regarding a potential settlement;

WHEREAS, on January 17, 2023, the Parties participated in a teleconference and agreed to participate in private mediation;

WHEREAS, the Parties have agreed to mediate before Ted D. Levin in March 2023;

WHEREAS, the Parties agree that withdrawing the Motion without prejudice to refile, vacating the hearing on the Motion, deferring Mino’s responsive pleading deadline, and deferring Robinson UK’s responsive pleading deadline will facilitate settlement and promote judicial economy;

WHEREAS, the Parties agree that Mino’s deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 should be extended to April 10, 2023 to allow time for mediation to be completed;

WHEREAS, the Parties agree that Robinson UK’s deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 should be extended to April 10, 2023 to allow time for mediation to be completed;

WHEREAS, Gurudu agrees to waive any argument that a renewed motion filed by Mino is untimely, provided that it is filed on or before April 10, 2023 and Gurudu further agrees that no responsive pleading or motion to transfer venue is required to be filed by Mino until April 10,

2023;

WHEREAS, a Pretrial Scheduling Conference is currently set for February 27, 2023 at 1:30 p.m. in Courtroom 5 of the above-captioned Court (ECF No. 3);

WHEREAS, the Parties agree that continuing the Pretrial Schedule to a date after mediation will facilitate settlement and promote judicial economy;

WHEREAS, the Parties agree that nothing set forth in this Stipulation constitutes a waiver of any party's right to contest jurisdiction over it in this action.

NOW THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their respective attorneys of record, and subject to the Court's approval, that:

1. Mino's Motion is withdrawn, without prejudice, and may be refiled at a later date.
2. The hearing on Mino's Motion is vacated without prejudice.
3. Mino's deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 and/or a motion to transfer venue is extended to April 10, 2023.
4. Robinson UK's deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 is extended to April 10, 2023.
5. Gurudu waives any argument that a motion or responsive pleading filed by Mino pursuant to Federal Rule of Civil Procedure 12 and/or a motion to transfer venue is untimely, provided that the motion or responsive pleading is filed on or before April 10, 2023.
6. The Pretrial Scheduling Conference is continued to April 24, 2023 at 1:30 p.m. or another date convenient for the Court.
7. The Parties submit that it would be appropriate for the Court to defer any requirements under Federal Rules of Civil Procedure 16 and 26, Local Rule 240, and this Court's Order (ECF No. 3) until after the Court addresses and resolves any anticipated motions impacting the jurisdiction or venue of this Court.

SO STIPULATED.

//

//

//

1 Dated: February 2, 2023

MILLS SADAT DOWLAT LLP

2 By: /s/ Arash Sadat
Arash Sadat

3
4 Attorneys for Plaintiff
Gurudu-Group LLC

5 Dated: February 2, 2023

MILLER, CANFIELD, PADDOCK AND
STONE PLC

7 By: /s/ Q. Scott Kaye
Q. Scott Kaye

8 Attorneys for Defendant
9 Mino Automation USA Inc.

10 Dated: February 2, 2023

FOX ROTHSCHILD LLP

11 By: /s/ Dwight C. Donovan
Dwight C. Donovan

12
13 Attorneys for Specially Appearing Defendant
Robinsons Automation Machinery Limited


ORDER

IT IS HEREBY ORDERED, pursuant to the stipulation of plaintiff Gurudu-Group LLC (“Gurudu”), defendant Mino Automation USA Inc. (“Mino”), and Robinsons Automation Machinery Limited (“Robinson UK,” and, collectively with Gurudu and Mino, the “Parties”), and good cause appearing therefor, that:

1. Mino’s Motion Dismiss Complaint or in the Alternative to Transfer Venue (“Motion”) (ECF No. 17) is withdrawn, without prejudice, and may be refiled at a later date.
2. The February 21, 2023 hearing on Mino’s Motion is vacated.
3. Mino’s deadline to file a motion or responsive pleading pursuant to Federal Rule of Civil Procedure 12 or to transfer venue is extended to April 10, 2023.
4. Robinson UK’s deadline to file a responsive pleading pursuant to Federal Rule of Civil Procedure 12 is extended to April 10, 2023.
5. Gurudu waives any argument that a motion or responsive pleading filed by Mino pursuant to Federal Rule of Civil Procedure 12 or to transfer venue is untimely, provided that the motion or responsive pleading is filed on or before April 10, 2023.
6. The Pretrial Scheduling Conference is continued to **July 31, 2023 at 1:30 p.m.**
7. The Parties deadline to agree on a discovery plan pursuant to Federal Rule of Civil Procedure 26(f) is extended to a date following the Court’s ruling on anticipated motions challenging jurisdiction and venue.
8. The Parties’ deadline to submit to the Court a Joint Status Report in accordance with Local Rule 240 and this Court’s Order (ECF No. 3) is extended to **July 17, 2023.**

IT IS SO ORDERED.

Dated: February 3, 2023


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE